

**COUNTY BOROUGH OF BLAENAU GWENT**

**REPORT TO: THE CHAIR AND MEMBERS OF THE  
STATUTORY LICENSING COMMITTEE**

**SUBJECT: STATUTORY LICENSING SUB-COMMITTEE  
THURSDAY, 15<sup>TH</sup> MARCH, 2018**

**REPORT OF: BUSINESS SUPPORT OFFICER  
DEMOCRATIC & CORPORATE SUPPORT**

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PRESENT: COUNCILLOR W. Hodgins (CHAIR)

Councillors J. Hill  
B. Willis

WITH: Team Leader, Licensing  
Licensing Officer  
Solicitor

AND: Cwm Ward Members  
Councillor D. Bevan ) spokespersons for objectors  
Councillor G. Davies )

**One Stop Shop Representatives**  
Matthew Jordan, Acquisition Manager  
Rhys Pound, Manager  
Licensing Manager  
Nicola Smith, Solicitor

**NEW PREMISES LICENCE – ONE STOP SHOP  
52 MARINE STREET, CMW, EBBW VALE**

The Chair welcomed the Applicants, Members and Officers to the meeting, which had been convened in order to discuss an Application for a New Premises License.

The purpose of the meeting was to inform the Sub-Committee of an Application for a New Premises Licence received in accordance with the Licensing Act 2003 in respect of One Stop Shop, 52 Marine Street, Cwm, Ebbw Vale.

At the invitation of the Chair, the Team Leader – Licensing gave details of the application and highlighted the main points of the report.

The Team Leader – Licensing explained that as part of the Licensing Act 2003 the applicant had consulted in respect of the application with copies being sent to the specified responsible authorities. It was advised that no objections had been received from South Wales Fire and Rescue, Police, and Blaenau Gwent County Borough Council Environmental Health Department with no representations being received from Blaenau Gwent County Borough Councils Trading Standards, Planning, and Social Services Departments, Aneurin Bevan Health Board and the Home Office. It was added that following representations received from the Licensing Enforcement Department of the Council that the applicant agreed to amend the application as referred to in the report. The Team Leader – Licensing confirmed that as a result of the agreed conditions the Licensing Enforcement Department withdrew their representations.

The Team Leader – Licensing further informed the Sub-Committee of the three letters of objections and a Petition which were detailed in Appendix 3 and 4 respectively. She also noted that one letter of support had also been received which was outlined in Appendix 5.

In conclusion, the Team Leader – Licensing reminded Members that consideration should be given to Licensing Objectives as contained in the Licensing Act 2003:-

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

The following options were available for consideration by the Sub-Committee as follows:-

1. To grant the application
2. To reject the whole or part of the application
3. To grant the application with modifications to the Conditions.

The Chair thanked the officer for a comprehensive overview of the report and invited Cwm Ward Members who were speaking on behalf of the objectors to address the Sub-Committee.

Councillor Derrick Bevan firstly referred to the proposed site which had been derelict for a number of years and stated that the residents of Cwm have no objections to the redevelopment of the site, however they have concerns around the potential of anti social behaviour with such long licensing hours. He felt that this was the major concern for the residents.

Councillor Garth Davies concurred with his Ward Colleague and stated that the concerns are related to the fact that if agreed, the One Stop Shop will be permitted to sell alcohol from 6.00 am until 11.00 pm. He asked for information on the licensing hours of other shops in Cwm.

The Licensing Officer confirmed the licensing hours as follows:-

Cwm General Store	Monday – Sunday	8.00am – 10.00 pm
1 Canning Street	Monday – Saturday	8.00am – 11.00pm
	Sunday	10.00 am – 10.30pm
	Christmas Day	12 Noon – 3.00pm
		7.30pm – 10.30pm
	Good Friday	8.00 am – 10.30 pm

The Ward Member thanked the officer for clarifying the licensing hours, however he advised that out both these shops close around 8.00 pm – 9.00 pm both evenings.

The Chair invited the Applicant to address the Committee and speak on the application.

The Applicant's Solicitor, Nicola Smith advised that the application had been presented to grant a Premises Licence for the sale of alcohol for 52 Marine Street, Cwm. The property has been vacant for a number of years and it was the intention to create a One Stop Shop. In discussion with the Licensing Enforcement Department the conditions had been amended and accepted fully by officers. The Applicant's Solicitor also noted that there were no other representations from responsible authorities in respect of the proposed Premise License.

She continued that the One Stop Shop Company has extensive policies and procedures in place and all shops have experienced staff and good compliance records . In relation to the potential to cause anti-social behaviour, the Solicitor added there was no evidence to support this suggestion, and the responsible authority had not raised this as a concern. The responsible authorities would have had access to statistics and would be in a position to present factual evidence. It was reported that further letters of support had been received from residents along with a petition. The Applicant's Solicitor referred to the letters and petition submitted and noted the reason for the petition which had not been against the licensing times. The times are in accordance with other One Stop shops throughout the Country and follow Government guidelines. She noted that the opening times will be assessed once the business was open, however she pointed out that the other shops were permitted to sell alcohol until reported times. She also noted that the objection letters had been submitted by the local shop owners in the area and the petition had been placed in these shops and customers had been encouraged to support their local stores.

In terms of the letter of support submitted, the Applicant's Solicitor noted that it was of their opinion the shop would do wonders for the people of Cwm.

She further advised that the One Stop Shop will not just sell alcohol it would also sell other groceries and all shops are operated to provide an inviting environment for shoppers.

The Applicant's Solicitor continued that One Stop Shops across the Country had robust procedures in place to address anti social behaviour in and around the vicinity of the shop. All staff are fully trained to deal with the congregation of youths/gangs. She drew Members attention to the proposed layout of the shop and indicated where CCTV would be situated in terms of the main entrance, cash registers and alcohol section which would deter anti-social behaviour. She noted that the cash registers would be in full sight of the entrance and alcohol sale areas. The CCTV camera would cover the main areas and a monitor would be placed to ensure customers were aware that CCTV covered the shop.

The Area Manager informed Members that he works closely with the Police and PSCOs which prevents incidents of anti-social behaviour. It was also advised that local people are employed in the shops and therefore known to customers. It was important to One Stop Shop that the shop was welcoming to customers. He indicated that the company operates a staff safe system process where all staff are issued with panic buttons attached to wrist bands that are linked direct to main monitoring systems. This allows staff to speak direct and operators can listen in to the store. It was paramount to One Stop Shop that public safety was upheld at all times.

The Chair thanked the Applicant's Solicitor for an informative overview and invited questions.

The Ward Member, Councillor Garth Davies asked if noise nuisance or public disorder was an issue in the residential area would you be concerned. The solicitor indicated It was confirmed that the One Stop Shop would be concerned as the prevention of noise nuisance as it was one of the a licensing objectives and the reason that One Stop Shop had numerous procedures in place to address the congregation of individuals and anti social behaviour.

Councillor Gareth Davies also referred to the licensing hours of other shops and stated that these shops close around 8.00/ 9.00 pm. The Applicant's Solicitor advised that the licensing hours were standard times of all One Stop Shops and all these shops were operated within a residential area.

She pointed out that no representations from the responsible authorities had been received to provide evidence of anti-social behaviour, and that opening times were not relevant as to the licensing objectives as these were commercial considerations not related to the licensing objectives.

If the Premises Licence was granted the Applicant had an obligation to prevent a public nuisance and either a resident or Ward Members could request a review of this Licence.

The Ward Member, Councillor Derrick Bevan asked would opening times be subject to trade, if there was no trade after 8.00 pm would One Stop Shop consider reducing its opening hours. It was confirmed that if trade was not there after a particular time we would review our opening times. It was stated that the opening times could be flexible and would be governed by trade.

The Chair invite observations from Members of the Sub-Committee, a Member noted the issue of operating hours and noted it had been confirmed that this could be flexible around trade.

The Applicant's Solicitor concluded that the Licence Premise Application should be granted based on evidence provided and not speculative information of what incidents could occur in the area.

The Applicant, Agent, Officers and Objectors withdrew from the meeting at this juncture.

The Sub-Committee discussed the application and a decision was unanimously reached.

The Applicant was invited back into the Meeting.

The Chair asked the Solicitor to read out the decision of the Licensing Sub-Committee to the applicant and his Agent.

The Solicitor advised that the Application had been made for a new premises Licence by One Stop Stores Limited ('The Applicant') of Apex Road, Brownhills, Walsall in respect of an application for a new Premises Licence received in accordance with the Licencing Act 2003 for the premises situated at 52 Marine Street, Cwm, Ebbw Vale.

The Members of the Sub-Committee were advised by Team Leader - Licensing that their function today was to determine the application for the new Premises Licence in accordance with the Licencing Act 2003 and that the options open to Members were to

- (1) To grant the application
- (2) To reject the whole or part of the application
- (3) To grant the application with modifications to the Conditions.

The Sub-Committee were aware that in considering this application that they must also take into account the provisions of the Licencing Act 2003 and the Council's Licensing Policy and take into consideration the guidance issued by the Home Office under Section 182 of the 2003 Act and the Council's Licensing Policy and the licensing objectives which were also reported by the Team Leader – Licensing.

The Sub-Committee were aware of the conditions put forward by the Applicant to meet criteria under the licensing objectives and that the relevant copies of the application were sent to the specified responsible authorities, being South Wales Fire & Rescue Service, Gwent Police, and Blaenau Gwent County Borough Council's Environmental Health Department who all confirmed they had no objection to the application. No representations were received from Blaenau Gwent County Borough Council's Trading Standards, Planning, Social Services Department, Aneurin Bevan Health Board, or the Home Office.

In accordance with the representations submitted by the Licensing Enforcement Officer, the Applicant agreed to amend the application to include additional conditions. The Sub-Committee were aware of the fact that three letters of objection by Other Persons were received together with a petition of 394 signatures all speaking against the application, and were made aware of an unsigned letter in support of the premises Licence from Other Persons.

These were considered by Members of the Sub-Committee. The Sub-Committee also took into account oral representations made to them by the Solicitor acting on behalf of the Applicant and two Cwm Ward Members who spoke on behalf of the Other Persons when reaching their decision on the application.

The Sub-Committee after carefully listening to the representations made to them by the Applicant's Solicitor and spokespersons for the Other Persons are satisfied that the adoption of the conditions by the Applicant would not be to the contravention of the Licence objectives and therefore grant the Licence in accordance with the times applied for subject to the adoption of the agreed conditions.

The Sub-Committee were satisfied that should any of the Licence objectives be contravened in future that the Licence could be reviewed at such time.

RESOLVED, that the Application for a New Premises Licence be **GRANTED.**

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